

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

The allowance of claims 8, 9, 12, 15, 16 and 18-26, and the indication that claim 14 contains allowable subject matter are respectively noted with appreciation. However, the rejection of claims 1-5 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Munakata et al. (USP 6,217,143) in view of Otsuka (JP 2003-231331), is respectfully traversed.

In this rejection, it is acknowledged that Munakata et al. fails to disclose the claimed feature of driving a first roller member with a different drive parameter as a leading edge of the print media process through the print zone. To overcome this admitted shortcoming, the rejection advances that Munakata et al. discloses a first roller member 1, a second roller member 3 and a drive device 6 arranged to drive the first and second roller members in the manner which is illustrated in Figure 1 of this reference. The rejection then take the position that the first and second roller members 1 and 3 are each "inherently" driven with first and second respective drive parameters.

Initially, it is submitted that the reliance on "inherency" in a rejection under 35 U.S.C. § 103(a) is improper. It is submitted that inherency can only be relied upon only in the case of anticipation.

The rejection then goes on to advance that the Otsuka reference teaches an arrangement in which the printing speed is adjusted according to the changes in the power supply. In accordance with the rejection, Fig. 7 of Otsuka shows that the "printing speed" is at a maximum when printing is initiated and continues to descend until a minimum below speed is reached. In support of this, the rejection cites paragraph [0048] of the machine translation of Otsuka.

However, it is submitted that it is paragraph [0049] of the Japanese text which refers to the content of Figure 7. Further, Figure 7 is a graph which is plotted in terms

of voltage and time for the power which is supplied to the print head for $n+1$ cycles of operation. Indeed, the graph shows the voltage reducing from an initial 100% value as time progresses. However, there is neither disclosure of roller rotational speed nor any indication that the disclosed "print speed" is anything other than the speed of the "print head."

Irrespective of the above-mentioned shortcomings, the rejection is founded on an unsupported conclusion that the Otsuka reference "teaches" an arrangement that is capable of adjusting roller speed to a different parameter as the leading edge of the print media pauses through the print zone. Indeed, there is nothing in the sections of the Otsuka et al. reference which have been relied upon for rejection that remotely disclose the position of the "leading edge" of a print media and does not support the position that the rotation speed of the roller is modulated as a function of this position.

Further, Otsuka discloses only one roller, as different from the two rollers in the Munakata et al. arrangement. In this connection, the teachings of the Munakata et al. reference have not been considered to the degree which is statutorily required. For example, column 7, line 60 - column 8, line 4 Munakata et al. discloses that the ratio of the urging of the upstream side driven roller to the urging of the downstream side driven roller 4, is set to about 4:1. As a result, the discharge roller 3 feeds a printing medium 9 while slipping thereby preventing the printing medium 9 from rising or slackening in the printing operation unit. How this particular 1:4 ratio would be effected by the purported control of a single roller has not been established in this rejection. Indeed, it is not clear that any attempt to modify the rotational speed of either one of the two rollers of Munakata et al. as per the teachings of Otsuka, would not in fact render the operation of the Munakata et al. arrangement at least partially inoperative for its intended purpose.

In this rejection, it is submitted that there is an erroneous assumption that printing speed is synonymous with roller speed. However, a careful review of the Otsuka reference indicates that it is the speed of the "print head" which is the object of the disclosed control. Merely by way of example, attention is called to the English language abstract for this reference wherein it is indicated that the inkjet printer 10 is provided with a recording head 20 and a system control logic section 140 which

monitors the power supply voltage of the 'head' drive power supply voltage. The English language abstract then goes on to point out that the system decreases the print speed (viz., the speed of the print head) if the power supply voltage exhibits a lowering trend and increases the print speed if the power supply voltage exhibits a rising trend.

It is submitted that the person of ordinary skill in the art would not be able to distill the structure which is set forth in claims 1-5 and 17, when considering the disclosures of the disclosures of Munakata et al. and Otsuka when taken as a whole. Clearly, there is at least one stumbling block inasmuch as the Munakata et al. reference discloses two rollers as compared to the single roller in Otsuka. Thus, even if the rejection was (arguendo) correct and it was the roller speed which was controlled and not the print head speed, still there would be a dilemma as to how to apply these teachings to the dual roller arrangement disclosed in Munakata et al. without at least partially corrupting the control which is intended.

It is respectfully submitted that the rejection fails to establish a *prima facie* case of obviousness and requires an unsupported/unsuggested leap in logic/understanding to be defensible.

Favorable reconsideration of the rejection for at least the reasons advanced above and allowance of all claims currently pending in this application are courteously solicited.

Respectfully submitted,

By 

Date January 19, 2006
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